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18 NOV 2004

Legal Staff
International Division

To: Examiner Ho**From:** Michael B. Stewart/Louise Schultz**Fax:** (571) 273-0459**Pages:** 15 + Coversheet**Phone:****Date:** November 18, 2004**Re:** CANDLE AND METHOD FOR PRODUCING A CANDLE

Application No. 10/019,334; File No. 65999-0001

Urgent For Review Please Comment Please Reply Please Recycle

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● Comments:

Enclosed please find the petition to revive and the returned postcard stamped with the date of May 3, 2004 filed with the U.S. Patent and Trademark Office on 4/29/04.

Please acknowledge receipt.

Please call if you have any questions or comments.

11/19/2004 FSN001 00000000138001001910019334
681PC Ref: 00088885 65.00 DA
681PC 2617

PTO/SB/17 (10-03)

Approved for use through 7/31/2006. OMB 0651-0032

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 665.00)

Complete if Known

Application Number	10/019,334
Filing Date	June 20, 2000
First Named Inventor	Rolf Sommer
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	65999-0001

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
 Deposit Account:

Deposit Account Number 18-0013

Deposit Account Name Rader, Fishman & Grauer PLLC

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)
1051 770	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 230	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	665.00
1501 1,230	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 665.00)

SUBTOTAL (2) (\$ 0.00)
* or number previously paid, if greater. For Reissues, see above

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Joseph V. Coppola, Sr.	Registration No. (Attorney/Agent)	33,373	Telephone	(248) 594-0650	
Signature					Date	April 29, 2004

Fee Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 29, 2004

Signature:

(Joyce A. Krumpe)

Practitioner's Docket No. 65899-0001**CHAPTER II****IN THE UNITED STATES ELECTED OFFICE (EO/US)**

PCT/DE00/01993 20/June/2000 24/June/1999
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED

Candle and Method for Producing a Candle
TITLE OF INVENTION

Rolf Sommer
APPLICANT(S)

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: EO/US

**COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371**

(check and complete the applicable item, if applicable)

CERTIFICATION UNDER 37 C.F.R. § 1.10*

*(Express Mail label number is mandatory.)
(Express Mail certification is optional.)*

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith are being deposited with the United States Postal Service on this date 3/28/02, in an envelope as "Express Mail Post Office to Addressee," Mailing Label Number EV051019329US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Joyce Krumpe
(type or print name of person mailing paper)

Joyce Krumpe
Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).
 A copy of FORM PCT/DO/EO/905 accompanies this response.

WARNING: Where the items being submitted to complete the entry of the international application into the national phase are subsequent to 30 months from the priority date the application is still considered to be in the international state and if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. § 1.10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 C.F.R. § 108(2)(xi)).

NOTE: Documents and fees must be clearly identified as a submission to enter the national stage under 35 U.S.C. § 371. Otherwise, the submission will be considered as being made under 35 U.S.C. § 111. 37 C.F.R. § 1.495(g).

DECLARATION OR OATH

I. No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OR

The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: For surcharge see for filing declaration after filing date complete item IV(2).

NOTE: Acceptable minimums in the declaration in an ordinarily filed U.S. application for identification of the specification to which it applies are the name of the inventor and (1) serial number, (2) attorney docket number that was on the application as filed and the filing date, (3) title of the invention and filing date, (4) title of invention and reference to a specification that is attached to the declaration at the time of execution and filed with the declaration, or (5) title of invention and a statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration. If the identification (4) is used it must be accompanied by a statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date. Such a statement must be a verified statement if made by a person not registered to practice before the PTO. Notice of September 12, 1983 (1035 O.G. 3). See M.P.E.P. § 601.01(a), 6th ed., rev. 3.

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 C.F.R. § 1.10(c).

NOTE: See 37 C.F.R. § 1.41(a).

The original oath was objected to. A new original oath is attached.

(complete (c) or (d), if applicable)

Attached is a

(c) Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.

(d) Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT

II.

(complete as applicable)

An amendment in accordance with 37 C.F.R. § 1.121 is attached.
 The attached amendment cancels claims _____ inclusive.

TRANSMITTAL OF ENGLISH TRANSLATION
OF NON-ENGLISH LANGUAGE PAPERS

III. Submitted herewith is an English translation of the non-English language international application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO. (See 37 C.F.R. § 1.495(c))

NOTE: *For fee for processing a non-English application, complete item IV(3).*

NOTE: *A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 C.F.R. § 1.69(b).*

IV.

FEES

NOTE: *See 37 C.F.R. § 1.28(a).*

1. Fees for claims

each independent claim in excess of 3
(37 C.F.R. § 1.492(b))—\$78.00; small entity—\$39.00 \$ _____
 each claim in excess of 20
(37 C.F.R. § 1.492(c))—\$18.00; small entity—\$9.00 \$ _____
 multiple dependent claims(s)
(37 C.F.R. § 1.492(d))—\$260.00; small entity—\$130.00 \$ _____

2. Surcharge fees

surcharge set forth in 37 C.F.R. § 1.492(e) for accepting the declaration later than 30 months after the priority date in filing an application in the U.S. as a designated office—\$130.00; small entity—\$65.00 \$ _____ 65.00

NOTE: *The processing fee in the next item 3 below is not subject to a reduction for small entity status.*

3. processing fee set forth in 37 C.F.R. § 1.492(f) for acceptance of an English translation later than 30 months after the priority date—\$130.00 \$ _____

(Completion of Filing Requirements for International Application Entering U.S. Elected Office (EO/US)—page 3 of 6)

for a petition and fee for extension of time.

TOTAL FEE DUE

VII.

The total fee due is:

Completion fee(s) \$65.00

Extension fee (if any) \$

TOTAL FEE DUE \$ 65.00

PAYMENT OF FEES

VIII.

[] Enclosed is a check in the amount of \$ _____
[X] Charge Account No. 18-0013 in the amount of \$ 65.00
[X] A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).

AUTHORIZATION TO CHARGE ADDITIONAL FEES

IX.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

[X] The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. 18-0013

[X] 37 C.F.R. § 1.492(a)(1), 1.492(a)(4) (filing fees)

[X] 37 C.F.R. § 1.492(b), (c), and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO

in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

37 C.F.R. § 1.17 (application processing fees)

37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).

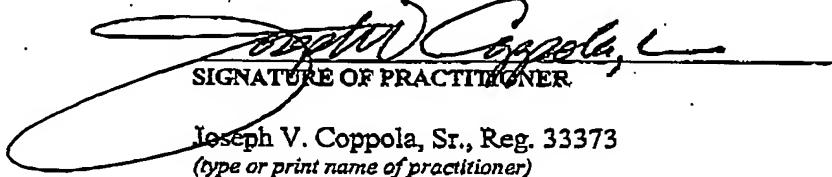
37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b)).

NOTE: *Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).*

NOTE: *37 C.F.R. § 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.*

37 C.F.R. § 1.492(e) and/or (f) surcharge fees for filing the declaration and/or an English translation of an international application later than 30 months from the earliest-claimed priority date.

WARNING: *It would be wise to always check this last authorization.*



SIGNATURE OF PRACTITIONER

Joseph V. Coppola, Sr., Reg. 33373
(type or print name of practitioner)

Tel. No.: (248) 594-0650

Customer No.: 010291

RADER, FISHMAN & GRAUER PLLC

P.O. Address

39533 Woodward Ave., Ste. 140
Bloomfield Hills, MI 48304

(Completion of Filing Requirements for International Application Entering U.S. Elected Office (EO/US)—page 6 of 6)



UNITED STATES PATENT AND TRADEMARK OFFICE

Correspondence for Pats/Trad/Lab/PL
United States Patent and Trademark Office
Washington, D.C. 20591
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/019,334	Rolf Sommer	63999-0001
INTERNATIONAL APPLICATION NO.		
PCT/DE00/01993		
IA. FILING DATE		PRIORITY DATE
06/20/2000		06/24/1999
CONFIRMATION NO. 1350		
371 FORMALITIES LETTER		
 OC000000007625564		

Date Mailed: 03/13/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Substitute Specification

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

Page 2 of 2

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

INDIA L EVANS

Telephone: (703) 305-2936

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,334	PCT/DE00/01993	65999-0001

FORM PCT/DO/EO/905 (371 Formalities Notice)

